

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

2025:PHHC:069501



**215**

**CRM-M-20259-2025 (O&M)**

**Date of Decision: 22.05.2025.**

Nirmal Singh @ Babbu

...Petitioner.

Versus

State of Punjab

...Respondent.

\*\*\*

**CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR**

\*\*\*\*\*

Present: Mr. Karandeep Sindh Sidhu, Advocate for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

\*\*\*

**SUKHVINDER KAUR, J. (Oral)**

Prayer in the present petition, filed under Section 483 of BNSS, 2023 for grant of Regular bail to the petitioner in FIR No.136 dated 03.11.2024, under Sections 309(2), 140(3), 191(3), 190 of BNS, 2023 and Sections 25 & 27 of the Arms Act, 1959 (Sections 310(2), 317(2) of BNS and Section 29 of the Arms Act added later on and Section 309(2) BNS and Section 25 of the Arms Act were deleted vide report No.11 dated 14.01.2025), registered at Police Station Kulgarhi, District Ferozepur.

Learned counsel for petitioner has contended that there is unexplained delay in lodging of the FIR, as the occurrence took place on 01.11.2024 and FIR was registered on 03.11.2024. The petitioner was nominated as an accused on 23.11.2024 after a gap of 20 days. He has contended that the alleged recovery has already been effected and the petitioner is in custody since 24.11.2024. He has urged that as trial of the

case is likely to take time, therefore, the petitioner be granted concession of regular bail.

While issuing notice of motion on 24.04.2025, respondent-State was directed to file status report, which has been filed today in the Court on 07.05.2025 and the same is taken on record.

Learned State counsel, while referring to the Status Report, has opposed the bail petition while contending that there are serious allegations against the petitioner that he along with other co-accused kidnapped complainant Dildar and his helper Ramzan from their truck on gun point, which was loaded with 764 bags of rice and took away these rice bags from the truck of the complainant. He also took away mobile phone of the complainant and cash amount of Rs.35,000/-lying in the truck and he does not deserve the concession of bail.

I have heard the learned counsel for the parties and have also gone through the case file.

As per the allegations, the FIR in the present case was registered against unknown persons on the statement of complainant Dildar. The petitioner and other co-accused were nominated as an accused on 23.11.2024 after a gap of 20 days of registration of FIR on 03.11.2024. During investigation, 450 rice bags were got recovered as per the disclosure statement of co-accused Ranjit Singh @ Rana. Thus, recovery in this case has already been effected. After completion of investigation challan has also been presented against all the five accused persons for trial and said case is now fixed for consideration of charge. As per the Custody Certificate placed on record, the petitioner has already undergone sentence of 05 months and 22 days. Conclusion of trial is likely to take time. So, no useful

purpose would be served by further detaining the petitioner behind the bars.

Accordingly, the present petition is allowed and the petitioner is ordered to be admitted to regular bail, on furnishing adequate bail bonds and surety bonds, to the satisfaction of concerned learned Trial Judge/Chief Judicial Magistrate/Duty Magistrate.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

**(SUKHVINDER KAUR)**  
**JUDGE**

**22.05.2025.**

*Komal*

|                            |   |         |
|----------------------------|---|---------|
| Whether speaking/reasoned? | : | Yes/ No |
| Whether reportable?        | : | Yes/ No |